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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 UNITED STATES OF AMERICA,)
8)
9 Plaintiff,) Case No. CR08-5496JLR
10 v.)
11 PHILLIP ANTHONY WEBER.) DETENTION ORDER
12 Defendant.)
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Offense charged:

Possession of methamphetamine with intent to distribute, and possession of a firearm by a person convicted of a felony.

Date of Detention Hearing: August 1, 2008.

The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by indictment with possession of methamphetamine with intent to distribute, and possession of a firearm by a person convicted of a felony. Defense counsel has attempted to contact defendant's fiancée. He has been unsuccessful. Defense counsel

1 indicated he is therefore not pressing for release at this time; however, if new information is
2 developed, defense counsel requests leave to revisit the issue of detention. Defendant has had
3 numerous contacts with law enforcement since 1981 including a 2002 conviction in Kitsap
4 County Superior Court for violation of the uniform controlled substances act.

5 (2) In January of this year, defendant was charged in Mason County Superior Court with
6 possession of methamphetamine with intent to distribute, and unlawful possession of a firearm.
7 These charges are separate from the instant offense and are currently pending. On May 5, 2008,
8 the Mason County Superior Court issued a warrant for defendant's arrest. That warrant was
9 quashed on May 8, 2008.

10 It is therefore ORDERED:

11 (1) Defendant shall be detained pending trial and committed to the custody of the
12 Attorney General for confinement in a correctional facility separate, to the extent practicable,
13 from persons awaiting or serving sentences, or being held in custody pending appeal;

14 (2) Defendant shall be afforded reasonable opportunity for private consultation with
15 counsel;

16 (3) On order of a court of the United States or on request of an attorney for the
17 Government, the person in charge of the correctional facility in which Defendant is confined shall
18 deliver the defendant to a United States Marshal for the purpose of an appearance in connection
19 with a court proceeding; and

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(4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshall, and to the United States Pretrial Services Officer.

DATED this 1st day of August, 2008.

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BRIAN A. TSUCHIDA
United States Magistrate Judge